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**By Facsimile Transmission and
Federal Express**

The Honorable Colleen McMahon
United States District Judge
Daniel P. Moynihan Courthouse
500 Pearl Street, Room 640
New York, New York 10007

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/27/07

October 17, 2007

10/19/07
Sentencing Adj
to 11/29/07 @ 9:30

Re: **United States vs. Daniel E. Marino, Docket No: 05CR1036-01(CM)**
Request for Adjournment of October 26, 2007 Sentencing Date

Dear Judge McMahon:

I write to set forth the very substantial reasons why I am requesting adjournment of Mr. Marino's sentencing until the week after Thanksgiving which would be the week of November 26, 2007.

First, we have been working conscientiously to prepare for sentencing, but two issues have arisen which have diminished our capacity to accomplish what needs to be done. An issue has developed with respect to the government's submission which we are working to resolve. Our efforts have been burdened by the fact that Mr. Marino's hearing aids stopped functioning, and he has only recently been able to obtain a single hearing aid from a family member which will assist our communication to some degree. As you may know from the presentence report he has suffered a substantial hearing loss since early childhood, this loss of his ability to hear and communicate has slowed us down considerably both in terms of substance of communication and just the effort it takes to make sure Mr. Marino understands the questions that are being put to him.

The issue with respect to the government's submission is very substantial. Given the Guidelines in this case and given the efforts made by Mr. Marino over the past two years, we want every opportunity to resolve any outstanding issue with the government with respect to its submission to you which we believe may have a substantial impact on Mr. Marino's sentencing.

We are making every effort to move as fast as possible, but I don't believe that we are going to be able to be in a position to proceed with his sentencing on October 26, notwithstanding all of the efforts we have made. I have arranged for him to meet with a hearing specialist this Friday so that we can accelerate his obtaining adequate hearing assistance.

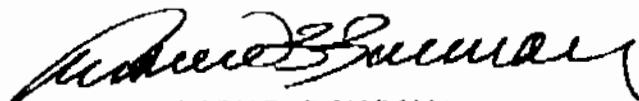
I also want to assure you that I meet with Mr. Marino regularly, and he has been working cooperatively and continuously with me and has expressed no self destructive thoughts or inclinations. He fully realizes this is a very important point in his life, and he is as focused as I have ever seen him. I do not believe that he presents any risk to himself, and this of course was corroborated by the report of Dr. Campagna which has previously been submitted to you.

I ask for the week of November 26, 2007, because I believe that will give us sufficient time to resolve the outstanding issues with the government and would permit Mr. Marino to have the appropriate hearing aid assistance. Unless he is looking directly at me, which allows him to lip read, he has not been able to understand questions in the ordinary course. Repetition will eventually bring the result, but it has substantially diminished the speed with which we can work as well as the effectiveness.

I am scheduled to select a jury before Judge Arterton in New Haven on November 7, 2007. That case may be resolved without trial, but as it stands right now, it is scheduled for jury selection on that date. It is a two week public corruption trial.

Finally, I have spoken with assistant U.S. attorney Margery Feinzig who has represented to me that she has no objection to this request for adjournment. We will make every effort to resolve all outstanding issues and to resolve Mr. Marino's hearing so that we can be prepared to proceed to sentencing during the last week in November.

Respectfully,



ANDREW B. BOWMAN

ABB:MA

cc. Margery Feinzig, AUSA